

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS)	
OF NORTHERN ILLINOIS WELFARE AND)	
PENSION FUNDS,)	
)	
Plaintiffs,)	
)	No. 07 C 4007
v.)	
)	Judge Zagel
NOVAK PAVING, INC.,)	
an Illinois corporation,)	Magistrate Judge Cole
JAMES NOVAK, Individually)	
)	
Defendants.)	

MOTION FOR JUDGMENT IN SUM CERTAIN

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for entry of a default judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on July 17, 2007 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2).
2. Service upon NOVAK PAINTING, INC., an Illinois corporation was made on the Defendant on July 23, 2007, and a copy of the proof of service was filed with the court on July 30, 2007.
3. Service upon James Novak, Individually, was made on the Defendant on July 23, 2007, and a copy of the proof of service was filed with the court on July 30, 2007.
4. On December 7, 2006, JAMES NOVAK, Individually and as President of Novak Paving, Inc. entered into a Pension Fund installment note for \$12,896.13.

Novak Paving, Inc.

Er# 4234 4691 4235

Pension Fund

PRINCIPAL TOTAL: \$ (22,178.88)

DOWN PYMT: \$2,896.67

Date: August 10, 2007

Ck #: 21167

PRINC BALANCE: \$ (19,282.21)

NMBR PYMNTS: 24

MONTHLY PYMT: \$889.77 /month

PAY THIS... OR THIS AFTER REGULAR PAYMENT					Payments Made	
Date DUE	NOTE BALANCE	PEN PYMNT	PRINC PD	CURRENT PRINC BAL	Date	Check #
1 08/30/07	19,442.89	889.77	729.09	18,553.12	1 8/30/07	21167
2 09/30/07	18,707.72	889.77	735.17	17,817.95	2 7/27/07	6164
3 10/30/07	17,966.43	889.77	741.30	17,076.65	3 10/30/07	6265
4 11/30/07	17,218.96	889.77	747.47	16,329.18	4 12/4/07	6404
5 12/30/07	16,465.25	889.77	753.70	15,575.48	5 2/5/08	6552
6 01/30/08	15,705.27	889.77	759.98	14,815.49	6 3/20/08	6615
7 02/28/08	14,938.96	889.77	766.32	14,049.18	7 4/15/08	6647
8 03/30/08	14,166.26	889.77	772.70	13,276.48	8 6/30	6765
9 04/30/08	13,387.12	889.77	779.14	12,497.34	9 7/15	fund
10 05/30/08	12,601.48	889.77	785.63	11,711.71	10 8/08	fund
11 06/30/08	11,809.30	889.77	792.18	10,919.53	11	
12 07/28/08	11,010.52	889.77	798.78	10,120.75	12	
13 08/30/08	10,205.09	889.77	805.44	9,315.31	13	
14 09/30/08	9,392.94	889.77	812.15	8,503.16	14	
15 10/30/08	8,574.02	889.77	818.92	7,684.25	15	
16 11/30/08	7,748.28	889.77	825.74	6,858.51	16	
17 12/30/08	6,915.66	889.77	832.62	6,025.89	17	
18 01/30/09	6,076.10	889.77	839.56	5,186.33	18	
19 02/28/09	5,229.55	889.77	846.55	4,339.77	19	
20 03/30/09	4,375.94	889.77	853.61	3,486.16	20	
21 04/30/09	3,515.21	889.77	860.72	2,625.44	21	

22	05/30/09	2,647.32		889.77	867.89	1,757.55	22		
23	06/30/09	1,772.19		889.77	875.13	882.42	23		
24	07/30/09	889.77		889.77	882.42	(0.00)	24		

EXHIBIT B

Novak Paving, Inc.

Er# 4234 4691 4235

WELFARE FUND

PRINCIPAL TOTAL: \$ (57,800.15)

DOWN PYMT: \$7,284.29

Date: August 10, 2007

Ck #: 21166

PRINC BALANCE: (\$50,515.86)

NMBR PYMNTS: 24

MNTHLY PYMT: \$2,331.04 /month

PAY THIS... OR THIS					Payments Made	
Date DUE	NOTE BALANCE	WELF PYMNT	PRINC PD	CURRENT PRINC BAL	Date	Check #
1 08/30/07	50,936.81	2,331.04	1,910.09	48,605.77	8/30/07	21168
2 09/30/07	49,010.80	2,331.04	1,926.01	46,679.76	9/27/07	6163
3 10/30/07	47,068.74	2,331.04	1,942.06	44,737.70	10/30/07	6265
4 11/30/07	45,110.50	2,331.04	1,958.24	42,779.46	12/4/07	6403
5 12/30/07	43,135.94	2,331.04	1,974.56	40,804.90	2/5/08	6551
6 01/30/08	41,144.92	2,331.04	1,991.01	38,813.88	3/20/08	6614
7 02/28/08	39,137.32	2,331.04	2,007.61	36,806.28	4/15/08	6646
8 03/30/08	37,112.98	2,331.04	2,024.33	34,781.94	6/30/08	fund
9 04/30/08	35,071.78	2,331.04	2,041.20	32,740.74	7/15	fund
10 05/30/08	33,013.57	2,331.04	2,058.21	30,682.53	8/15	fund
11 06/30/08	30,938.20	2,331.04	2,075.36	28,607.16		
12 07/30/08	28,845.55	2,331.04	2,092.66	26,514.51		
13 08/30/08	26,735.45	2,331.04	2,110.10	24,404.41		
14 09/30/08	24,607.77	2,331.04	2,127.68	22,276.73		
15 10/30/08	22,462.36	2,331.04	2,145.41	20,131.32		
16 11/30/08	20,299.07	2,331.04	2,163.29	17,968.03		
17 12/30/08	18,117.76	2,331.04	2,181.31	15,786.72		
18 01/30/09	15,918.27	2,331.04	2,199.49	13,587.23		
19 02/28/09	13,700.45	2,331.04	2,217.82	11,369.41		
20 03/30/09	11,464.15	2,331.04	2,236.30	9,133.11		
21 04/30/09	9,209.22	2,331.04	2,254.94	6,878.18		

22	05/30/09	6,935.49	2,331.04	2,273.73	4,604.45	22		
23	06/30/09	4,642.82	2,331.04	2,292.67	2,311.78	23		
24	07/30/09	2,331.04	2,331.04	2,311.78	-	24		